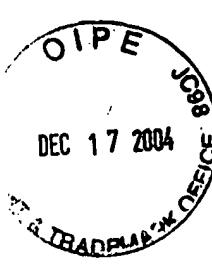


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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF: TRAUTH et al. CONF. NO: 5918

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FOR: Customer Complaint Alert System and Method

ASSISTANT COMMISSIONER FOR PATENTS

ALEXANDRIA, VA 22213-1450

37 CFR 41.37 APPEAL BRIEF

Sir:

In response to the office action mailed 7/28/04, the applicants appeal.

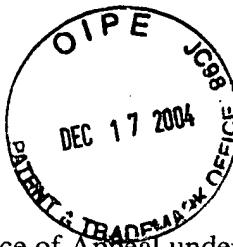
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I. 37 CFR 41.37 (a)(1) and (2)

This brief is filed with the Notice of Appeal under 41.31. This brief is accompanied by the fee set forth in 41.20(b)(2).

II. 37 CFR 41.37 (b)

The filing is timely. Accordingly, this subsection is not relevant.

III. 37 CFR 41.37 (c)(1)

A. 37 CFR 41.37 (c)(1)(i) Real Party in Interest

The real party in interest is Catalina Marketing International, Inc., a Delaware corporation, which is wholly owned by Catalina Marketing Corporation, a Florida corporation.

B. 37 CFR 41.37 (c)(1)(ii) Related Appeals and Interferences

There are no related appeals and interferences. Accordingly, this subsection is not relevant.

C. 37 CFR 41.37 (c)(1)(iii) Status of Claims

Claims 1-33 are pending, rejected, and under appeal.

D. 37 CFR 41.37 (c)(1)(iv) Status of Amendments

All amendments are entered.

E. 37 CFR 41.37 (c)(1)(v) Summary of the Claimed Subject Matter

The invention of claim 1 defines an electronic network implemented method for notifying personnel of customer feedback messages (page 1 lines 10-12), comprising: receiving from a customer a customer feedback message in an electronic format (page 3 lines 9-11); automatically storing said feedback message from said customer in a database in response to receipt of said customer feedback message in said electronic format (page 3 lines 20-21); and automatically creating and transmitting an electronic notification message to a first employee of

an employer, said electronic notification message providing an indication that a feedback message exists, said automatically creating and transmitting occurring in response to at least one of said receiving and said automatically storing (page 3 lines 11-14; page 5 lines 19-20).

The invention of claim 8 defines an electronic network implemented method for notifying personnel of customer feedback messages (page 1 lines 10-12), comprising: receiving a spoken customer feedback message from a customer (page 3 lines 15-19); creating an audio file containing a recording of said spoken customer feedback message (page 6 lines 18-20); storing said audio file in a database (page 3 lines 20-21); generating an electronic notification message, said electronic notification message indicating that a certain feedback message has been received (page 3 lines 9-14; page 5 lines 19-20); transmitting said electronic notification message to an employee of an employer (page 6 lines 18-20); and accessing said database and playing said audio file containing a recording of said spoken feedback message stored in said database to said employee, upon receiving a command from said employee (page 6 lines 18-20).

The invention of claim 15 defines an electronic network implemented method for notifying personnel of customer messages (page 1 lines 10-12), comprising: receiving a satisfaction rating from a customer; receiving a spoken message from said customer (Figure 3; page 8 lines 8-11); creating an audio file containing a recording of said spoken message (page 6 lines 18-20); storing said audio file in a database (page 3 lines 20-21); generating an electronic notification message, said electronic notification message indicating at least the existence of a satisfaction rating of a customer, said generating occurring automatically at least in part in response the receipt and storage of at least one of said satisfaction rating and said spoken message (page 3 lines 9-14; page 5 lines 19-20); attaching said audio file to said notification message (page 3 lines 18-19); automatically transmitting said electronic notification message to an employee of an employer, said automatically transmitting occurring at least in part in response to said generating (page 6 lines 18-20); determining whether said satisfaction rating is below a threshold value (page 9 lines 7-9); and transmitting a second electronic notification message to a second employee of said employer if said satisfaction rating is below said threshold value, said second electronic notification message indicating at least the existence of a satisfaction rating of a customer (Figure 4; page 8 line 17; page 10 lines 21-23; page 15 lines 13-20).

The invention of claim 17 defines a customer feedback notification electronic system, comprising: a database for storing a customer feedback message of a customer (page 3 lines 20-21); an electronic notification message, said electronic notification message indicating that a customer feedback message has been received (page 3 lines 9-11); and a computer server for promptly transmitting said electronic notification message to an employee of an employer upon receipt of said customer feedback message (Figure 1; page 7 line 21 to page 8 line 1).

The invention of claim 20 defines a customer feedback notification electronic system, comprising: a voice server for receiving a spoken customer feedback message (Figure 1; page 7 lines 8-15); a database for storing said feedback message in an audio file (page 3 lines 20-21); an electronic notification message indicating that said feedback message has been received, said electronic notification message including said audio file (page 11 lines 14-16); and a computer server for promptly transmitting said notification message to an employee in response to receipt of said customer feedback message (Figure 1; page 7 line 21 to page 8 line 1).

The invention of claim 22 defines an electronic network implemented method for receiving and tracking customer feedback messages, comprising: receiving a customer feedback message of a customer (page 3 lines 15-19); storing said customer feedback message in a database (page 3 lines 20-21); creating an electronic notification message indicating that a customer feedback message has been received from an individual customer (page 3 lines 11-14; page 5 lines 19-20); promptly transmitting said notification message to an employee of an employer upon receipt of said customer feedback message (page 6 lines 18-20); accessing said database using a web server to retrieve said customer feedback message to a web browser (page 12 lines 20-22); and displaying to said employee said customer feedback message within a web page displayed by said web browser (page 12 line 22 to page 13 line 3).

The invention of claim 28 defines a system for receiving and tracking customer complaints, comprising: a voice server for receiving a customer complaint (Figure 1; page 7 lines 8-15); a database for storing said complaint in a complaint record (page 3 lines 20-21); a message server for serving an electronic notification message indicating that a complaint has been received, said message server configured to automatically serve said electronic notification message to an employee of an employer promptly upon receipt of said customer complaint

(Figure 1; page 7 line 21 to page 8 line 1); a web server connected with said database, said web server configured to enable said employee to access said database to retrieve said complaint record (Figure 1; page 12 lines 20-22).

The invention of claim 33 defines a computer program product comprising a computer readable media storing code for enabling an electronic network to implement a method for notifying personnel of customer feedback messages, said method comprising: receiving from a customer a customer feedback message in an electronic format (page 3 lines 9-11); automatically storing said feedback message from said customer in a database in response to receipt of said customer feedback message in said electronic format (page 3 lines 20-21); and automatically creating and transmitting an electronic notification message to a first employee of an employer, said electronic notification message providing an indication that a feedback message exists, said automatically creating and transmitting occurring in response to at least one of said receiving and said automatically storing (page 3 lines 11-14; page 5 lines 19-20).

F. 37 CFR 41.37 (c)(1)(vi) Grounds of rejection to be reviewed on appeal

Whether the rejections of claims 1-33 under 35 USC 102(e) as being anticipated by Rebane are improper and should be reversed.

G. 37 CFR 41.37 (c)(1)(vii) Argument

1. 35 USC 102 Rejections

Claims 1-33 are rejected under 35 U.S.C. 102(e) as being anticipated by Rebane (US Patent 6,539,392 BI). Each claim is discussed below.

a. Claim 1

With respect to claim 1, the examiner states that Rebane teaches:

An electronic network implemented method for notifying personnel customer feedback messages, comprising :

- a) receiving from a customer a customer feedback message in an electronic

format (Column 12, lines 52-59 recited with col . 2, lines 23-26, wherein cited server 14 capturing consumer input data or response to consumer satisfaction questionnaire and said response being feedback, column 2, lines 23-26, indicating reference's teaching "capturing or receiving consumer or customer response or feedback message", and said response or feedback arriving from consumer's or customer's computer 12 in system 11 directly to server 14 in system 5, Fig. 3, indicating the same is in electronic form or format);

b) automatically storing said feedback message from a customer in a database in response to receipt of said customer feedback message in said electronic format (Col . 9, lines 62-65, wherein cited server 14 "storing above discussed consumer or customer input response or feedback message directly or automatically" as indicated by: server 14 in system 5 accepting data from consumer's computer 12 in system 11, and said storage is being performed "following or in response to above discussed receiving step" and as discussed above it is "in electronic form or format") ;

c) automatically creating and transmitting an electronic notification message to a first employee of an employer, said electronic notification message providing an indication that a feedback message exists, said automatically creating and transmitting occurring in response to at least one of said receiving and said automatically storing. (Column 25, lines 22-25 read with column 11, lines 34-36, wherein cited event handler in system 5 automatically sending email to a merchant and system 5 generating and presenting resulting information to end-user or merchant, column 11, lines 34-36 recited with lines 63-67, computer 13, Fig. 3, indicating reference's teaching "automatically creating or generating and sending or transmitting email or notification message to end-user or merchant", and cited merchant being goods or service providing business must have workers or employees for running the business or merchant, such as supervisor, manager etc. and one of them representing claimed "first employee" of "merchant or business employer" {In support of said statement, please see enclosed Boulton et al's Patent

5,337,618, column 11, lines 12-23}. Moreover, recitation of: "flashing dynamic icon conveying in graphic or text form or format relative to current or recent level of buying activity to the merchant, col . 32, lines 19-39 and column 33, lines 14-25" indicating availability of means for "furnishing or providing a sign or indication that there were a message or a message exists" and a user would said means relating to above discussed user's response or feedback message.

Furthermore, said "creation or generation and sending or transmitting of said notification "since following steps a) and b) above, are "happening or occurring after or in response of receiving and automatically storing"). [Office action mailed July 28, 2004 page 3 line to page 5 line 10.]

In response, the applicant submits that Rebane does not disclose "automatically creating and transmitting an electronic notification message to a first employee of an employer, said electronic notification message providing an indication that a feedback message exists, said automatically creating and transmitting occurring in response to at least one of said receiving and said automatically storing," as recited in claim 1. Each passage in Rebane that the examiner cites for disclosing these limitations will be discussed below.

First, the examiner cites to column 25 lines 22-25 read with column 11 lines 34-36 of Rebane for allegedly disclosing automatically creating and transmitting an electronic notification message to a first employee of an employer, said electronic notification message providing an indication that a feedback message exists, said automatically creating and transmitting occurring in response to at least one of said receiving and said automatically storing.

Column 25 lines 22-25 of Rebane states that:

The system 5 via event handler 32 or data monitoring system 30, for example, could automatically send the merchant a signal such as an email to alert the merchant to the drop in rating. [Column 25 lines 22-25].

Column 11 lines 34-36 states that:

System 5 is the side of system 10 that collects, processes, and evaluates data, and generates and presents the resulting information. [Column 11 lines 34-36.]

In reply, the applicant submits that neither column 25 lines 22-25 read with column 11 lines 34-36 in Rebane nor all of Rebane discloses the claimed “automatically creating and transmitting an electronic notification message to a first employee of an employer, said electronic notification message providing an indication that a feedback message exists, said automatically creating and transmitting occurring in response to at least one of said receiving and said automatically storing,” as recited in claim 1.

Claim 1 defines and this application discloses that the feedback message is a customer feedback message from a customer. In contrast, column 25 lines 22-25 and column 11 lines 34-36 in Rebane relate to an indication that a number of responses collected is above a high alert threshold or below a low alert threshold. Rebane's indication of a number of responses is not an indication that a feedback message exists, and it is not an indication that a customer's feedback message exists.

Rebane discloses a system with an alarm filter based on the *number of surveys collected* per day from a particular merchant. See column 25 lines 15-17. Rebane discloses that the system administrator could desire that if the daily collection of surveys for the merchant drops below 5 on a given day, an alert signal should be sent to the merchant or other party. See column 25 lines 17-20. Rebane further discloses a system which can automatically send the merchant an email to alert the merchant to a *drop in rating*. See column 25 lines 23-25. Thus, Rebane discloses a system whereby an email message is sent to a merchant providing an indication that a number of responses collected is above a high alert threshold or below a low alert threshold.

However, while Rebane discloses that an email is sent to a merchant if the response rate is above or below a set value, Rebane does not disclose transmitting an electronic notification message to a first employee of an employer, wherein the electronic notification message provides an indication that a feedback message from a customer exists, as defined by claim 1. Therefore, the anticipation rejection of claim 1 is improper and should be reversed.

Second, the examiner cites to column 11 lines 34-36 and 63-67, and computer 13, figure 3 for disclosing automatically creating or generating and sending or transmitting email or notification message to end-user or merchant.

Column 11 lines 34-36 of Rebane states that:

System 5 is the side of system 10 that collects, processes, and evaluates data, and generates and presents the resulting information. [Column 11 lines 34-36.]

Column 11 lines 63-67 of Rebane states that:

System 5 further includes database 16, data conditioner 18, database 20 for conditioned data, one or more data processing modules 22, a display store 24 for storing processed data, and a presentation server 26 for presenting data or information to an end-user. [Column 11 lines 63-67.]

Computer 13 is shown in Figure 3 and is labeled as a merchant computer system.

Figure 3 shows an overview of Rebane's system which is a system for gathering, transferring, processing, evaluating data, and/or generating information in a continual stream, as well as presenting and delivering such data and/or information in desired media to interested parties or other systems. See column 11 lines 14-20.

In reply, the applicant submits that Rebane does not disclose "automatically creating and transmitting an electronic notification message to a first employee of an employer, said electronic message providing an indication that a feedback message exists," as recited in claim 1.

Rebane column 11 and Figure 3 disclose a system which may receive and evaluate data from consumer satisfaction survey questionnaires. See column 11 lines 22-23. Rebane further discloses that, after a consumer completes a survey questionnaire, the resulting survey data is fed to data capture server 14 and logged into a server log. See column 13 lines 50-52. Rebane discloses that the logged data may then be parsed by a software program that assigns items of the

raw data into predefined fields in a database 16. See column 13 lines 56-58. Rebane discloses that the data fielded into database 16 may be conditioned by a data conditioner 18. See column 14 lines 29-30. Rebane further discloses that the conditioned data may be stored in database 20 for conditioned data. See column 14 lines 44-45. Rebane discloses that processing module 22 transfers processed data to a database 24 for storing processed data. See column 15 lines 25-26. Rebane further discloses that database 24 is in communication with a server 26. See column 15 lines 26-27. Rebane discloses that the presentation server 26 presents data that has been processed and evaluated by system 10 to an end-user, such as consumers or merchants 13. See column 16 lines 37-39.

However, while Rebane teaches a system that receives survey questionnaire data and eventually transfers that data to a merchant computer, Rebane does not disclose transmitting an electronic notification message which provides an indication that a customer's feedback message exists, as defined in claim 1. Thus, the rejection of claim 1 is improper and should be reversed.

Finally, the examiner cites to Rebane column 32 lines 19-39 and column 33 lines 14-25 for the claimed limitation "said electronic notification providing an indication that a feedback message exists."

Column 32 lines 19-39 of Rebane states that:

The present invention also contemplates a processing module 22 that relates to the display of a dynamic icon that indicates to the user of a remote computer system some level of activity elsewhere in system 10. The dynamic icon could convey graphic or text-based information or both, as described in more detail below. In one possible embodiment, a dynamic icon or text is displayed through the web browser of a consumer's computer system or terminal that indicates to the consumer the level of activity by other visitors to a particular merchant's website. For example, the dynamic icon indicates the current/recent level of buying activity for the merchant. The activity could be indicated on a real-time basis or on defined time intervals. It could also relate to all transactions taking place at the merchant's site or on subcategories of transactions. In one embodiment, the dynamic icon is

associated with ratings information about one or more merchants whose ratings are made accessible to consumers through presentation server 26. The dynamic icon could also be associated directly with a merchant's own web server, via presentation server 26 of system 5, for viewing by consumers as they visit the merchant's website. [Column 32 lines 19-39.]

Column 33 lines 14-25 of Rebane states that:

In another embodiment, an activity-level applet is received and stored by a consumer's computer. This is reflected in FIG. 15 at step 23.5. The applet generates a dynamic icon in the form of a flashing dot, for example. The icon flashes in proportion to the level of activity on a particular merchant site. The consumer's computer is informed of the activity level by accessing a data source that communicates data representative of the activity level. This is reflected in step 23.6 of FIG. 15. The data is input into the activity-level applet that creates an output in the dot flashing at a rate proportionate to the level of buying at the merchant's site. [Column 33 lines 14-25.]

In reply, the applicant submits that these column 32 and 33 passages from Rebane do not disclose "said electronic notification providing an indication that a feedback message exists," as recited in claim 1. Rebane's level of activity is unrelated to an indication that a feedback message exists, and it is unrelated to an indication that a customer's feedback message exists, as defined by claim 1.

Rebane discloses that a dynamic icon indicates to the user of a remote computer system some level of activity elsewhere in system 10. See column 32 lines 20-22. Rebane further discloses that this level of activity may be the level of activity by other visitors to a particular merchant's website. See column 32 lines 25-28. Rebane discloses that an activity level applet is received and stored by a consumer's computer. See column 33 lines 14-15. Rebane further discloses that the data is input into the activity-level applet that creates an output in the dot

flashing at a rate proportionate to the level of buying at the merchant's site. See column 33 lines 22-25. Rebane discloses that in the case of buying activity, the relevant data is received into system 5 as a survey questionnaire 100. See column 32 lines 40-41.

However, while Rebane discloses that on a consumer's computer there is a flashing dot indicating the level of activity at a merchant's site, Rebane does not disclose that "said electronic notification message providing an indication that a feedback message exists," as recited in claim 1. Therefore, the rejection of claim 1 is improper and should be reversed.

Furthermore, even if the flashing dot in Rebane flashes every time a questionnaire has been received by a merchant, Rebane, does not disclose a notification that feedback message exists, and does not disclose transmitting that information to a first employee of an employer as defined in claim 1. Rather, Rebane discloses that the dynamic flashing dot indicating purchasing activity is on the customer's computer. Thus, for these additional reasons, the rejection of claim 1 is improper and should be reversed.

b. **Claim 2**

With respect to claim 2, the examiner states that Rebane teaches:

The method of claim 1, wherein said transmitting comprises transmitting said electronic notification message is e-mail (Column 25, lines 22-25, wherein as discussed above, cited "email is electronic notification"). [Office action mailed 7/28/04 page 5 lines 11-13.]

In response, the applicant submits that for the same reasons the rejection of claim 1 is improper, the rejection of claim 2 is improper. Therefore, the rejection of claim 2 should be reversed.

The examiner cites to column 25 lines 22-25 of Rebane which states that:

The system 5 via handler 32 or data monitoring system 30, for example, could automatically send the merchant a signal such as an email to alert the

merchant to the drop in rating. [Column 25 lines 22-25.]

In reply, the applicant submits that Rebane does not disclose a method "wherein said transmitting comprises transmitting said electronic notification message via e-mail," as recited by claim 2.

Rebane discloses that an alarm filter could be set to monitor the number of surveys collected per day from a particular merchant. See column 25 lines 15-17. Rebane further discloses that the system administrator could desire that if the daily collection of surveys for the merchant drops below 5 on a given day, an alert signal should be sent to the merchant or other party. See column 25 lines 17-20. Rebane further discloses that the system could automatically send the merchant a signal such as an email to alert the merchant to the drop in rating. See column 25 lines 22-25. Thus, Rebane discloses that an email can be sent to the merchant to alert them of the drop in response rates, i.e. the merchant received less than 5 surveys in one day.

However, while Rebane discloses that an email can be sent to a merchant if there is a drop in response rates, i.e. the number of responses received in one day, Rebane does not disclose an email that provides an indication that a feedback message exists, as defined in claim 2. Therefore, the rejection of claim 2 is improper and should be reversed.

c. **Claim 3**

With respect to claim 3, the examiner states that Rebane teaches:

The method of claim 1, wherein said receiving includes receiving a customer satisfaction rating (Column 13, lines 22-26, wherein reference's accepting consumer rating data values indicating "obtaining or receiving rating or satisfaction rating" from consumer or customer)). [Office action mailed 7/28/04 page 5 lines 14-17.]

In response, the applicant submits that for the same reasons the rejection of claim 1 is improper, the rejection of claim 3 is improper. Therefore, the rejection of claim 3 should be

reversed.

d. **Claim 4**

With respect to claim 4, the examiner states that Rebane teaches:

The method of claim 3, wherein said electronic notification message includes said customer satisfaction rating (Column 11, line 2, Column 34, line 66 recited with lines 23-27 {specifically line 27}, wherein a user would use reference's "appending" function for attaching {to include} above discussed customer satisfaction rating to above discussed electronic notification message).

[Office action mailed 7/28/04 page 5 line 18 to page 6 line 4.]

In response, the applicant submits that for the same reasons the rejection of claim 3 is improper, the rejection of claim 4 is improper. Therefore, the rejection of claim 4 should be reversed.

Moreover, the applicant submits that the examiner is making an obviousness argument although the examiner has rejected the claims under 35 USC 102(e). The examiner is arguing that it would have been obvious for a user to use Rebane's "appending" function for attaching the customer satisfaction rating to an electronic notification message. However, this is an improper rejection, as the examiner may not argue obviousness under a 35 USC 102(e) rejection. Therefore, the rejection of claim 4 is improper and should be reversed.

As discussed in the response to the rejection of claim 1, Rebane does not disclose transmitting an electronic notification when a customer feedback message has been received. In addition, Rebane does not disclose an electronic notification message which includes a customer satisfaction rating, as defined in claim 4.

The examiner relies on column Col . 11, line 2, Column 34, line 66 recited with lines 23-27 {specifically line 27} for disclosing the claimed limitations of claim 4.

Column 11 line 2 of Rebane states that "...online shopping category by appending those

questions to a...”

Column 34 line 66 of Rebane states that “...information, automated notifications about subject matter...”

Column 34 lines 23-27 of Rebane state that:

The website includes web pages having a list or table of; merchant websites. The list or table could categorize merchants in any way, including by sector, by size, by how long they have been in engaged in e-commerce, by geography, be customer satisfaction ratings,... [Column 34 lines 23-27.]

In reply, the applicant submits that Rebane does not disclose a method “wherein said electronic notification message includes said customer satisfaction rating,” as recited in claim 4.

Rebane discloses that after a consumer completes a survey questionnaire, the resulting survey data is fed to data capture server 14 and logged into a server log. See column 13 lines 50-52. Rebane further discloses that the logged data may then be parsed by a software program that assigns items of the raw data into predefined fields in a database 16. See column 13 lines 56-58. Rebane further discloses that the communication of data could be made dependent on specified conditions. See column 14 lines 49-50. Rebane discloses examples such as, the specified conditions could include a set quantity of data having been received (e.g. after receipt of one hundred consumer responses to survey questionnaires); an elapsed period of time (e.g. after one hour of collecting responses to survey questionnaires), or other specified conditions or combinations of such conditions. See column 14 lines 50-56. Rebane discloses that the data fielded into database 16 may be conditioned by a data conditioner 18. See column 14 lines 29-30. Rebane further discloses that the conditioned data may be stored in database 20 for conditioned data. See column 14 lines 44-45. Rebane discloses that processing module 22 transfers processed data to a database 24 for storing processed data. See column 15 lines 25-26. Rebane further discloses that database 24 is in communication with a server 26. See column 15 lines 26-27. Rebane discloses that the presentation server 26 presents data that has been processed and evaluated by system 10 to an end-user, such as consumers or merchants 13. See column 16 lines

37-39.

However, while Rebane discloses that customer satisfaction ratings are received by merchants, Rebane does not disclose that the customer satisfaction rating is included in an electronic notification that is automatically sent to an employee as defined in claim 4. Thus, the rejection of claim 4 is improper and should be reversed.

e. **Claim 5**

With respect to claim 5, the examiner states that Rebane teaches:

The method of claim 3 further comprising: a) determining whether said customer satisfaction rating is below a threshold value (Column 15, lines 53-54 and column 25, line 65 through column 26, line 2, wherein cited "processing" and "comparing with predefined low threshold" inferring claimed "determining whether rating is below a threshold"); and b) transmitting a second electronic notification message to a second employee of said employer if said customer satisfaction rating is below said threshold value, said second electronic notification message providing an indication that a feedback message exists (See discussion of applicant's 1c) above, and considering discussed notification as second one and manager as second employee of merchant or business or employer). [Office action mailed 7/28/04 page 6 lines 5-14.]

In response, the applicant submits that for the same reasons the rejection of claim 3 was improper, the rejection of claim 5 is improper. Therefore, the rejection of claim 5 should be reversed.

Furthermore, Rebane does not disclose "determining whether said customer satisfaction rating is below a threshold value," as recited in claim 5.

The examiner cites to column 15 lines 53-54 and column 25 line 65 through column 26 line 2 which state that:

The processing may include computation of ratings; indices; consumer...
[Column 15 lines 53-54.]

If a response rating is above a high threshold, a signal is sent to event handler 32. If the high threshold is not crossed, the values from step 28.4 are compared to a predefined threshold in step 28.6. If the low threshold is crossed, a signal is sent to event handler 28. [Column 25 line 65 to column 26 line 2.]

In reply, the applicant submits that Rebane does not disclose a method comprising “determining whether said customer satisfaction rating is below a threshold value,” as recited in claim 5.

Rebane discloses that ratings can be computed. See column 15 lines 53-54. Rebane further discloses an alarm system which monitors survey questionnaire response rates. See column 25 lines 55-59 and Figure 9. Rebane discloses that the system administrator could desire that if the daily collection of surveys for the merchant drops below 5 on a given day, an alert signal should be sent to the merchant or other party. See column 25 lines 17-20. Rebane further discloses that if a low threshold response rate is crossed, a signal is sent to event handler 28. See column 26 lines 1-2 and Figure 9.

However, while Rebane discloses determining if only 5 responses are received, i.e. the response rate is low, Rebane does not disclose determining whether said customer satisfaction rating is below a threshold value, as defined in claim 5. Therefore, the rejection of claim 5 is improper and should be reversed.

Moreover, Rebane does not disclose “transmitting a second electronic notification message to a second employee of said employer if said customer satisfaction rating is below said threshold value, said second electronic notification message providing an indication that a feedback message exists,” as recited in claim 5.

The examiner cites to discussion of applicant’s 1c) above, and then states “considering discussed notification as second one and manager as second employee of merchant or business or employer.”

First, the applicant submits that for the same reasons the rejection of claim 1c is improper, the rejection of claim 5 is improper. Thus, the rejection of claim 5 should be reversed.

Second, there is no disclosure in Rebane that discloses that there is a second notification sent to a second employee, as defined in claim 5.

Rebane discloses an alarm system which monitors survey questionnaire response rates. See column 25 lines 55-59 and Figure 9. Rebane further discloses that if a low threshold response rate is crossed, a signal is sent to event handler 28. See column 26 lines 1-2 and Figure 9.

However, while Rebane discloses that a signal is sent to an event handler if less than 5 responses are received, i.e. the response rate is low, Rebane does not disclose transmitting a second electronic notification message to a second employee of said employer if said customer satisfaction rating is below said threshold value, as recited in claim 5. Therefore, the rejection of claim 5 is improper and should be reversed.

f. **Claim 6**

With respect to claim 6, the examiner states that Rebane teaches:

The method of 3 further comprising the further steps of: a) determining whether said customer satisfaction rating is above a threshold value (Column 15, lines 53-54 and column 25, lines 63-65 and discussion of claim 5a) above); and b) transmitting a second electronic notification message to a second employee if said customer satisfaction rating is above said threshold value, said second electronic notification message providing an indication that a feedback message exists (See discussion of claim 5b) above). [Office action mailed 7/28/04 page 6 lines 15-21.]

In response, the applicant submits that for the same reasons the rejection of claim 3 was improper, the rejection of claim 6 is improper. Therefore, the rejection of claim 6 should be reversed.

The examiner cites to column 15 lines 53-54 and column 25 lines 63-65 and discussion of

claims 5a) and 5b.

First, for the same reasons the rejections of claims 5a and 5b are improper, the rejection of claim 6 is improper. Thus, the rejection of claim 6 should be reversed.

Second, Rebane does not disclose “determining whether said customer satisfaction rating is above a threshold value,” as recited in claim 6.

The examiner cites to column 15 lines 53-54 and column 25 lines 63-65 which state that:

The processing may include computation of ratings; indices; consumer...

[Column 15 lines 53-54.]

The calculated values are compared with predetermined high thresholds in decision step 28.5. [Column 25 lines 63-65.]

In reply, the applicant submits that Rebane does not disclose “determining whether said customer satisfaction rating is above a threshold value,” as recited in claim 6.

Rebane discloses that ratings can be computed. See column 15 lines 53-54. Rebane further discloses an alarm system which monitors survey questionnaire response rates. See column 25 lines 55-59 and Figure 9. Rebane further discloses that if a response rate is above a high threshold, a signal is sent to event handler 32. See column 25 lines 65-66 and Figure 9.

However, while Rebane discloses determining if there are a lot of responses received, i.e. the response rate is high, Rebane does not disclose determining whether said customer satisfaction rating is above a threshold value, as defined in claim 6. Therefore, the rejection of claim 6 is improper and should be reversed.

Third, there is no disclosure in Rebane that discloses that there is a second notification sent to a second employee when a customer satisfaction rating is above a threshold, as defined in claim 6.

Rebane discloses an alarm system which monitors survey questionnaire response rates. See column 25 lines 55-59 and Figure 9. Rebane further discloses that if a response rate is above a high threshold, a signal is sent to event handler 32. See column 25 lines 65-66 and Figure 9.

However, while Rebane discloses that a signal is sent to an event handler if there are a lot of responses received, i.e. the response rate is high, Rebane does not disclose transmitting a second electronic notification message to a second employee of said employer if said customer satisfaction rating is above said threshold value, as defined in claim 6. Therefore, the rejection of claim 6 is improper and should be reversed.

g. **Claim 7**

With respect to claim 7, the examiner states that Rebane teaches:

The method of claim 1 wherein said customer feedback message in said electronic format comprises an audio file including a spoken message provided by the customer (Column 34, lines 5-10, wherein cited generating audio-based icon and icon verbally describing, indicating reference's having a function for generating an "audio file" and said "audio file including or comprising verbal or spoken message", and a user would use said features for claimed purpose. Moreover, conducting audio or voice surveys and collecting user responses or feedbacks is known and practiced since long before Applicant's invention, a user would consider it's use as inherent or at least would have been motivated to include the same in Rebane et al's invention . Support to foregoing is provided by enclosed Boulton et al's patent 5,537,618, Fig. 35 described column 44, lines 8-51). [Office action mailed 7/28/04 page 7 lines 3-13.]

In response, the applicant submits that for the same reasons the rejection of claim 1 is improper, the rejection of claim 7 is improper. Therefore, the rejection of claim 7 should be reversed.

Moreover, Rebane does not disclose a method wherein "said customer feedback message in said electronic format comprises an audio file including a spoken message provided by said customer," as recited in claim 7.

The examiner cites to column 34 lines 5-10 of Rebane which states that:

The dynamic icon is not limited to a flashing dot. It could be any number of things, including a numerical value; textual description of activity; a graphic image that connotes a level of activity, such as a flashing colored, say, red dot; an audio-based icon that verbally or connotatively describes some level of activity, etc. [Column 34 lines 5-10.]

In response, the applicant submits that Rebane does not disclose a method wherein “said customer feedback message in said electronic format comprises an audio file including a spoken message provided by said customer,” as recited in claim 7.

Rebane discloses that a dynamic icon indicates to the user of a remote computer system some level of activity elsewhere in system 10. See column 32 lines 20-22. Rebane further discloses that this level of activity may be the level of activity by other visitors to a particular merchant’s website. See column 32 lines 25-28. Rebane discloses that an activity level applet is received and stored by a consumer’s computer. See column 33 lines 14-15. Rebane further discloses that the data is input into the activity-level applet that creates an output in the dot flashing at a rate proportionate to the level of buying at the merchant’s site. See column 33 lines 22-25. Rebane further discloses that the dynamic icon could be an audio-based icon that verbally or connotatively describes some level of activity. See column 34 lines 5-10.

However, while Rebane discloses an audio icon on a consumer’s computer that verbally describes a level of activity on a merchant website, Rebane does not disclose an audio file of a feedback message provided by a customer, as defined in claim 7. Thus, the rejection of claim 7 is improper and should be reversed.

Furthermore, the applicant submits that the examiner is making an obviousness argument although the examiner has rejected the claims under 35 USC 102(e). The examiner is arguing that conducting audio or voice surveys and collecting user responses or feedbacks is known and practiced since long before Applicant’s invention, a user would consider its use as inherent or at least would have been motivated to include the same in Rebane et al’s invention. However, this is an improper rejection, as the examiner may not argue obviousness under a 35 USC 102(e) rejection. For this additional reason, the rejection of claim 7 is improper and should be reversed.

h. **Claim 8**

With respect to claim 8, the examiner states that Rebane teaches:

An electronic network implemented method for notifying personnel of customer feedback messages, comprising:

- a) receiving a spoken customer feedback message from a customer (Column 2, lines 59-63, wherein "verbal or telephonic survey responses from individuals" indicating reference's teaching claimed "obtaining or receiving verbal or spoken response or feedback message");
- b) creating an audio file containing a recording of said spoken customer feedback message (See discussion of Applicant's claim 7 above);
- c) storing said audio file in a database (See discussion of Applicant's claim 1 b), wherein a user would use reference's "storing" function for storing above discussed audio file);
- d) generating an electronic notification message, said electronic notification message indicating that a certain feedback message has been received (See discussion of Applicant's claim 1c) above);
- e) transmitting said electronic notification message to an employee of an employer (See discussion of Applicant's claim 1c) above); and
- f) accessing said database and playing said electronic audio file containing a record of said spoken feedback message in said database to said employee, upon receiving a command from said employee (Column 14, lines 23-24 recited with column 34, line 5-10, wherein, cited database accessed by searching means indicating reference's teaching "accessing database" and "audio-based icon verbally describing level of activity indicating reference's provision of "playing verbal or audio file or electronic file, since it is being played over a computer, and in database jargon data or information is stored in file or tabular form or format", and said action resulting from user's or employee's { as discussed above) input instruction or command). [Office action mailed 7/28/04 page 7 line 14 to page 8

line 19.]

In response, the applicant submits that the rejection of claim 8 is improper and should be reversed for the following reasons.

First, Rebane does not disclose “receiving a spoken customer feedback message from a customer,” as recited in claim 8.

The examiner cites to column 2 lines 59-63 of Rebane which states that:

To over come these kinds of problems, survey sponsors sometimes employ individuals to field survey responses from individuals. These individuals may be stationed in a store to verbally field answers to survey questions or they may telephone consumers after a transaction. [Column 2 lines 59-63.]

In column 2 line 63 to column 3 line 1 of Rebane, Rebane further states that:

The problem with using individuals to administer surveys is the cost of administering the survey and the intrusiveness of the process. The intrusiveness is such that consumers may be alienated from doing further business with a merchant. This is particularly a concern relative to telephone surveys. [Column 2 line 63 to column 3 line 1.]

In reply, the applicant submits that Rebane does not disclose “receiving a spoken customer feedback message from a customer,” as recited in claim 8.

Rebane discloses that telephonic surveys alienate consumers from doing business with merchants and telephonic surveys are costly. Column 2 line 63 to column 3 line 1.

Hence, while Rebane discloses that it is costly and intrusive to administer telephone surveys, Rebane does not disclose receiving spoken customer feedback messages from customers, as defined by claim 8. Therefore, the rejection of claim 8 is improper and should be reversed.

Second, Rebane does not disclose “creating an audio file containing a recording of said spoken customer feedback message,” as recited in claim 8.

The examiner cites to the discussion of applicant's claim 7 above. For the same reasons the rejection of claim 7 is improper, the rejection of claim 8 is improper. Therefore, the rejection of claim 8 should be reversed.

Third, Rebane does not disclose "storing said audio file in a database," as recited in claim 8. The examiner cites to the discussion of Applicant's claim 1 b), and further states that a user would use reference's "storing" function for storing above discussed audio file.

As discussed in response to claim 7, Rebane does not disclose an audio file of a feedback message provided by a customer. Therefore, Rebane does not disclose storing an audio file in a database. Furthermore, the examiner is making an obviousness argument although the examiner has rejected the claims under 35 USC 102(e). The examiner is arguing that conducting audio or voice surveys and collecting user responses or feedbacks is known and practiced since long before Applicant's invention, a user would consider it's use as inherent or at least would have been motivated to include the same in Rebane et al's invention. However, this is an improper rejection, as the examiner may not argue obviousness under a 35 USC 102(e) rejection. Moreover, there is no motivation based on the teachings of Rebane to store an audio file containing consumer feedback into a database. Thus, the rejection of claim 8 should be reversed.

Fourth, Rebane does not disclose "generating an electronic notification message, said electronic notification message indicating that a certain feedback message has been received," as recited in claim 8.

The examiner cites to the discussion of Applicant's claim 1c) above. For the same reasons the rejection of claim 1c is improper, the rejection of claim 8 is improper. Therefore, the rejection of claim 8 should be reversed.

Fifth, Rebane does not disclose "transmitting said electronic notification message to an employee of an employer," as recited in claim 8.

The examiner cites to the discussion of applicant's claim 1c) above. For the same reasons the rejection of claim 1c is improper, the rejection of claim 8 is improper. Therefore, the rejection of claim 8 should be reversed.

Sixth, Rebane does not disclose "accessing said database and playing said audio file containing a recording of said spoken feedback message stored in said database to said employee,

upon receiving a command from said employee," as recited in claim 8.

The examiner cites to column 14 lines 23-24 recited with column 34 lines 5-10 which state that:

...database and can be accessed by various searching means, including Boolean logic evaluation, proximity calculations,... [Column 14 lines 23-24.]

The dynamic icon is not limited to a flashing dot. It could be any number of things, including a numerical value; textual description of activity; a graphic image that connotes a level of activity, such as a flashing colored, say, red dot; an audio-based icon that verbally or connotatively describes some! level of activity, etc. [Column 34 lines 5-10.]

The examiner further states that: the cited database accessed by searching means indicating reference's teaching "accessing database" and "audio-based icon verbally describing level of activity indicating reference's provision of "playing verbal or audio file or electronic file, since it is being played over a computer, and in database jargon data or information is stored in file or tabular form or format", and said action resulting from user's or employee's {as discussed above) input instruction or command).

In reply, the applicant submits that Rebane discloses that an audio file may describe some level of activity on a merchant's website. See column 34 lines 9-10. Rebane further discloses a database 16 which stores which stores logged data from a survey questionnaire. See column 13 lines 50-58.

While Rebane discloses an audio file that describes some level of activity on a merchant's website, Rebane does not disclose an audio file which contains a customer feedback message. Moreover, while Rebane discloses a database that stores survey questionnaire data, Rebane does not disclose a database that stores an audio file containing a recording of spoken feedback message. Therefore, Rebane does not disclose accessing a database to play an audio file containing a recording of a spoken feedback message stored in the database. Thus, the rejection

of claim 8 is improper and should be reversed.

i. **Claim 9**

With respect to claim 9, the applicant states that Rebane teaches:

The method of claim 1, wherein said transmitting comprises transmitting said electronic notification message is e-mail (Column 25, lines 22-25, wherein as discussed above, cited "email is electronic notification"). [Office action mailed 7/28/04 page 5 lines 11-13.]

In response, the applicant submits that for the same reasons the rejection of claim 8 is improper, the rejection of claim 9 is improper. Therefore, the rejection of claim 9 should be reversed.

The examiner cites to column 25 lines 22-25 of Rebane which states that:

The system 5 via handler 32 or data monitoring system 30, for example, could automatically send the merchant a signal such as an email to alert the merchant to the drop in rating. [Column 25 lines 22-25.]

In reply, the applicant submits that Rebane does not disclose a method "wherein said transmitting comprises transmitting said electronic notification message via e-mail," as recited by claim 9.

Rebane discloses that an alarm filter could be set to monitor the number of surveys collected per day from a particular merchant. See column 15-17. Rebane further discloses that the system administrator could desire that if the daily collection of surveys for the merchant drops below 5 on a given day, an alert signal should be sent to the merchant or other party. See column 25 lines 17-20. Rebane further discloses that the system could automatically send the merchant a signal such as an email to alert the merchant to the drop in rating. See column 25 lines 22-25. Thus, Rebane discloses that an email can be sent to the merchant to alert them of the drop in

response rates, i.e. the merchant received less than 5 surveys in one day.

While Rebane discloses that an email can be sent to a merchant if there is a drop in response rates, i.e. less than 5 responses are received in one day, Rebane does not disclose an email that provides an indication that a feedback message exists, as defined in claim 9. Therefore, the rejection of claim 9 is improper and should be reversed.

j. **Claim 10**

With respect to claim 10, the examiner states that Rebane teaches:

The method of claim 8 further comprising the further assigning a response ID to said customer feedback message (Col . 13, lines 50-53 (specifically line 55), wherein "data collected" representing claimed "response" and reference's "assigning identifier" function indicating a user's employing said function for claimed purpose). [Office action mailed 7/28/04 page 8 lines 20-24.]

In response, the applicant submits that for the same reasons the rejection of claim 8 is improper, the rejection of claim 10 is improper. Thus, the rejection of claim 10 should be reversed.

k. **Claim 11**

With respect to claim 11, the examiner states that Rebane teaches:

The method of claim 10 wherein said command from said employee comprises said response ID (Inherent, since, as discussed above merchant or business have employees, who have to enter or click on icon representing identifier or ID). [Office action mailed 7/28/04 page 9 lines 3-5.]

In response, the applicant submits that for the same reasons the rejection of claim 10 is improper, the rejection of claim 11 is improper. Thus, the rejection of claim 11 should be

reversed.

Moreover, Rebane does not disclose a method wherein a "command from said employee comprises said response ID," as recited in claim 11.

Rebane discloses that after a consumer completes a survey questionnaire, the resulting survey data is fed to data capture server 14 and logged into a server log. See column 13 lines 51-52. Rebane further discloses that the log records the collected data and may assign an identified or key value to the data. See column 13 lines 52-53. Rebane further discloses that the identifier could be an indicator of any number of things including the time of receipt, source (e.g., the particular merchant), etc. See column 13 lines 53-56.

However, while Rebane discloses that an identifier may be assigned to the survey questionnaire data, Rebane does not disclose that the identifier is in a command from an employee, as defined in claim 11. Thus, the rejection of claim 11 is improper and should be reversed.

I. **Claim 12**

With respect to claim 12, the examiner states that Rebane teaches:

The method of claim 8 further comprising:

- a) receiving a satisfaction rating from said customer (See discussion of Applicant's claim 3 above);
- b) determining whether said customer satisfaction rating is below a threshold value (Column 15, lines 53-54 and column 25, line 65 through column 26, line 1, wherein cited "processing" and "comparing with predefined low threshold" indicating claimed "determining whether rating is below a threshold"); and
- c) transmitting a second electronic notification message to a second employee of said employer if said customer satisfaction rating is below said threshold value, said second electronic notification message indicating that a certain feedback message has been received (Column 6, lines 4-8, wherein a user

would use reference's "communication" function for sending or transmitting any number of above discussed notification messages and as discussed above "merchant" encompassing manager or second employee). [Office action mailed 7/28/04 page 9 lines 6-18.]

In response, the applicant submits that for the same reasons the rejection of claim 8 is improper, the rejection of claim 12 is improper. Thus, the rejection of claim 12 should be reversed.

First, Rebane does not disclose "determining whether said customer satisfaction rating is below a threshold value," as recited in claim 12.

The examiner cites to column 15 lines 53-54 and column 25 line 65 through column 26 line 1 which state that:

The processing may include computation of ratings; indices; consumer...
[Column 15 lines 53-54.]

If a response rating is above a high threshold, a signal is sent to event handler 32. If the high threshold is not crossed, the values from step 28.4 are compared to a predefined threshold in step 28.6. [Column 25 lines 65 to column 26 line 1.]

In reply, the applicant submits that Rebane does not disclose "determining whether said customer satisfaction rating is below a threshold value," as recited in claim 12.

Rebane discloses an alarm system which monitors survey questionnaire response rates. See column 25 lines 55-59 and Figure 9. Rebane further discloses that if a low threshold response rate is crossed, a signal is sent to event handler 28. See column 26 lines 1-2 and Figure 9. Rebane further discloses that the system administrator could desire that if the daily collection of surveys for the merchant drops below 5 on a given day, an alert signal should be sent to the merchant or other party. See column 25 lines 17-20.

However, while Rebane discloses determining if there are less than 5 responses received in one day, i.e. the response rate is low, Rebane does not disclose determining whether said customer satisfaction rating is below a threshold value, as defined in claim 12. Therefore, the rejection of claim 12 is improper and should be reversed.

Second, Rebane does not disclose "transmitting a second electronic notification message to a second employee of said employer if said customer satisfaction rating is below said threshold value, said second electronic notification message indicating that a certain feedback message has been received," as recited in claim 12.

The examiner cites to column 6 lines 4-8 of Rebane which states that:

The one or more data sources include consumer and/or merchant computer systems, and the presentation serve is capable of communicating with one or more merchant computer systems to communicate processed data relating to transactions...[Column 6 lines 4-8.]

The examiner goes on to state that a user would use reference's "communication" function for sending or transmitting any number of above discussed notification messages and as discussed above "merchant" encompassing manager or second employee.

In reply, the applicant submits that Rebane does not disclose "transmitting a second electronic notification message to a second employee of said employer if said customer satisfaction rating is below said threshold value, said second electronic notification message indicating that a certain feedback message has been received," as recited in claim 12.

Rebane discloses an alarm system which monitors survey questionnaire response rates. See column 25 lines 55-59 and Figure 9. Rebane further discloses that if a low threshold response rate is crossed, a signal is sent to event handler 28. See column 26 lines 1-2 and Figure 9. Rebane further discloses that the system administrator could desire that if the daily collection of surveys for the merchant drops below 5 on a given day, an alert signal should be sent to the merchant or other party. See column 25 lines 17-20.

However, while Rebane discloses that a signal is sent to an event handler if there are less

than 5 responses received in one day, i.e. the response rate is low, Rebane does not disclose transmitting a second electronic notification message to a second employee of said employer if said customer satisfaction rating is below said threshold value, as recited in claim 12. Therefore, the rejection of claim 12 is improper and should be reversed.

In addition, Rebane discloses that the presentation server is capable of communicating with one or more merchant computer systems to communicate processed data relating to transactions between consumers and merchants. See column 6 lines 6-9. However, Rebane does not disclose that the data that is communicated is customer feedback messages, as defined in claim 12. Thus, for this additional reason, the rejection of claim 12 is improper and should be reversed.

m. **Claim 13**

With respect to claim 13, the examiner states that Rebane teaches:

The method of claim 8 further comprising:

- a) receiving a satisfaction rating from a customer (See discussion of Applicant's claim 3 above) ;
- b) determining whether said customer satisfaction rating is above a threshold value (Column 15, lines 53-54 and column 25, lines 63-65 and discussion of Applicant's claim 5a) above); and
- c)transmitting a second electronic notification message to a second employee of said employer if said customer satisfaction rating is above said threshold value, said electronic notification message indicating that a certain feedback message has been received (See discussion of Applicant's claim 5b) above). [Office action mailed 7/28/04 page 9 line 19 to page 10 line 9.]

In response, the applicant submits that for the same reasons the rejection of claim 8 is improper, the rejection of claim 13 is improper. Thus, the rejection of claim 13 should be reversed.

The examiner cites to column 15 lines 53-54 and column 25 lines 63-65 and the discussion of Applicant's claim 5a and 5b above.

First, for the reasons the rejections of claims 5a and 5b are improper, the rejection of claim 13 is improper.

Second, Rebane does not disclose "determining whether said customer satisfaction rating is above a threshold value," as recited by claim 13.

The examiner cites to column 15 lines 53-54 and column 25 lines 63-65 which state that:

The processing may include computation of ratings; indices; consumer...

[Column 15 lines 53-54.]

The calculated values are compared with predetermined high thresholds in decision step 28.5. [Column 25 lines 63-65.]

In reply, the applicant submits that Rebane does not disclose "determining whether said customer satisfaction rating is above a threshold value," as recited by claim 13.

Rebane discloses that ratings can be computed. See column 15 lines 53-54. Rebane further discloses an alarm system which monitors survey questionnaire response rates. See column 25 lines 55-59 and Figure 9. Rebane further discloses that if a response rate is above a high threshold, a signal is sent to event handler 32. See column 25 lines 65-66 and Figure 9.

However, while Rebane discloses determining if there are a lot of responses received in one day, i.e. the response rate is high, Rebane does not disclose determining whether said customer satisfaction rating is above a threshold value, as defined in claim 13. Therefore, the rejection of claim 13 is improper and should be reversed.

Third, Rebane does not disclose "transmitting a second electronic notification message to a second employee of said employer if said customer satisfaction rating is above said threshold value, said electronic notification message indicating that a certain feedback message has been received," as recited in claim 13.

Rebane discloses an alarm system which monitors survey questionnaire response rates.

See column 25 lines 55-59 and Figure 9. Rebane further discloses that if a response rate is above a high threshold, a signal is sent to event handler 32. See column 25 lines 65-66 and Figure 9.

However, while Rebane discloses that a signal is sent to an event handler if there are a lot of responses received in one day, i.e. the response rate is high, Rebane does not disclose transmitting a second electronic notification message to a second employee of said employer if said customer satisfaction rating is above said threshold value, as defined in claim 13. Therefore, the rejection of claim 13 is improper and should be reversed.

n. **Claim 14**

With respect to claim 14, the examiner states that Rebane teaches:

The method of claim 1, wherein said transmitting comprises transmitting said electronic notification message is e-mail (Column 25, lines 22-25, wherein as discussed above, cited "email is electronic notification"). [Office action mailed 7/28/04 page 5 lines 11-13.]

In response, the applicant submits that for the same reasons the rejection of claim 12 was improper, the rejection of claim 14 is improper. Therefore, the rejection of claim 14 should be reversed.

The examiner cites to column 25 lines 22-25 of Rebane which states that:

The system 5 via handler 32 or data monitoring system 30, for example, could automatically send the merchant a signal such as an email to alert the merchant to the drop in rating. [Column 25 lines 22-25.]

In reply, the applicant submits that Rebane does not disclose a method "wherein said transmitting comprises transmitting said second electronic notification message via e-mail," as recited in claim 14.

Rebane discloses that an alarm filter could be set to monitor the number of surveys

collected per day from a particular merchant. See column 15-17. Rebane further discloses that the system administrator could desire that if the daily collection of surveys for the merchant drops below 5 on a given day, an alert signal should be sent to the merchant or other party. See column 25 lines 17-20. Rebane further discloses that the system could automatically send the merchant a signal such as an email to alert the merchant to the drop in rating. See column 25 lines 22-25. Thus, Rebane discloses that an email can be sent to the merchant to alert them of the drop in response rates, i.e. the merchant received less than 5 surveys in one day.

While Rebane discloses that an email can be sent to a merchant if there are a lot of responses received in one day, or less than 5 responses received in one day, Rebane does not disclose an email that comprises a second notification message, as defined in claim 14. Therefore, the rejection of claim 14 is improper and should be reversed.

o. **Claim 15**

With respect to claim 15, the examiner states that Rebane teaches:

An electronic network implemented method for notifying personnel of customer messages, comprising:

- a) receiving a satisfaction rating from a customer (See discussion of Applicant's claim 3 above);
- b) receiving a spoken message from said customer (See discussion of Applicant's claim 8a) above);
- c) creating an audio file containing a recording of said spoken message (See discussion of Applicant's claim 8b) above);
- d) storing said audio file in a database (See discussion of Applicant's claim 8c) above);
- e) generating an electronic notification message, said electronic notification message indicating at least the existence of a satisfaction rating of a customer, said generating occurring automatically at least in part in response the receipt and storage of at least one of said satisfaction rating and said spoken message (See

discussion of applicant's claims 8d) and 1c) above);

f) attaching said audio file to said notification message (See discussion of Applicant's claim 4) above);

g) automatically transmitting said electronic notification message to an employee of an employer, said automatically transmitting occurring at least in part to said generating (See discussion of Applicant's claim 1c) above);

h) determining whether said satisfaction rating is below a threshold value (See discussion of Applicant's claim 5a) above); and

i) transmitting a second electronic notification message to a second employee of aid employer if said satisfaction rating is below said threshold value, said second electronic notification message indicating at least in part the existence of a satisfaction rating of a customer (See discussion of Applicant's claim 5b) above). [Office action mailed 7/28/04 page 10 line 10 to page 11 line 15.]

In response, the applicant submits that for the following reasons the rejection of claim 15 is improper and should be reversed.

First, Rebane does not disclose “receiving a spoken message from said customer,” as recited in claim 15.

The examiner cites to the discussion of Applicant's claim 8a) above.

In response, the applicant submits that for the same reasons that the rejection of claim 8a was improper, the rejection of claim 15 is improper. Therefore, the rejection of claim 15 should be reversed.

Second, Rebane does not disclose “creating an audio file containing a recording of said spoken message,” as recited in claim 15.

The examiner cites to the discussion of Applicant's claim 8b) above.

In response, the applicant submits that for the same reasons the rejection of claim 8b was improper, the rejection of claim 15 is improper. Therefore, the rejection of claim 15 should be reversed.

Third, Rebane does not disclose “storing said audio file in a database,” as recited in claim

15.

The examiner cites to the discussion of Applicant's claim 8c) above.

In response, the applicant submits that for the same reasons the rejection of claim 8b was improper, the rejection of claim 15 is improper. Therefore, the rejection of claim 15 should be reversed.

Fourth, Rebane does not disclose "generating an electronic notification message, said electronic notification message indicating at least the existence of a satisfaction rating of a customer, said generating occurring automatically at least in part in response the receipt and storage of at least one of said satisfaction rating and said spoken message," as recited by claim 15.

The examiner cites to the discussion of applicant's claims 8d) and 1c) above.

In response, the applicant submits that for the same reasons that the rejections of claims 8d and 1c were improper, the rejection of claim 15 is improper. Therefore, the rejection of claim 15 should be reversed.

Fifth, Rebane does not disclose "attaching said audio file to said notification message," as recited by claim 15.

The examiner cites to the discussion of Applicant's claim 4) above.

In response, the applicant submits that for the same reasons that the rejection of claim 4 was improper, the rejection of claim 15 is improper. Therefore, the rejection of claim 15 should be reversed.

Sixth, Rebane does not disclose "automatically transmitting said electronic notification message to an employee of an employer, said automatically transmitting occurring at least in part to said generating," as recited by claim 15.

The examiner cites to the discussion of Applicant's claim 1c) above.

In response, the applicant submits that for the same reasons that the rejection of claim 1c was improper, the rejection of claim 15 is improper. Therefore, the rejection of claim 15 should be reversed.

Seventh, Rebane does not disclose "determining whether said satisfaction rating is below a threshold value," as recited by claim 15.

The examiner cites to the discussion of Applicant's claim 5a) above.

In response, the applicant submits that for the same reasons the rejection of claim 5a was improper, the rejection of claim 15 is improper. Therefore, the rejection of claim 15 should be reversed.

Finally, Rebane does not disclose "transmitting a second electronic notification message to a second employee of aid employer if said satisfaction rating is below said threshold value, said second electronic notification message indicating at least in part the existence of a satisfaction rating of a customer," as recited by claim 15.

The examiner cites to the discussion of Applicant's claim 5b) above.

In response, the applicant submits that for the same reasons the rejection of claim 5b was improper, the rejection of claim 15 is improper. Therefore the rejection of claim 15 should be reversed.

In conclusion, for all of the above stated reasons, the rejection of claim 15 is improper and should be reversed.

p. **Claim 16**

With respect to claim 16, the examiner states that Rebane teaches:

The method of claim 1, wherein said transmitting comprises transmitting said electronic notification message is e-mail (Column 25, lines 22-25, wherein as discussed above, cited "email is electronic notification"). [Office action mailed 7/28/04 page 5 lines11-13.]

In response, the applicant submits that for the same reasons the rejection of claim 15 is improper, the rejection of claim 16 is improper.

The examiner cites to column 25 lines 22-25 of Rebane which states that:

The system 5 via handler 32 or data monitoring system 30, for example, could automatically send the merchant a signal such as an email to alert the merchant to the drop in rating. [Column 25 lines 22-25.]

In reply, the applicant submits that Rebane does not disclose a method "wherein said automatically transmitting comprises transmitting via email second electronic notification message is an e-mail message," as recited in claim 16.

Rebane discloses that an alarm filter could be set to monitor the number of surveys collected per day from a particular merchant. See column 15-17. Rebane further discloses that the system administrator could desire that if the daily collection of surveys for the merchant drops below 5 on a given day, an alert signal should be sent to the merchant or other party. See column 25 lines 17-20. Rebane further discloses that the system could automatically send the merchant a signal such as an email to alert the merchant to the drop in rating. See column 25 lines 22-25. Thus, Rebane discloses that an email can be sent to the merchant to alert them of the drop in response rates, i.e. the merchant received less than 5 surveys in one day.

While Rebane discloses that an email can be sent to a merchant in there are a lot of responses received in one day, or less than 5 responses received in one day, Rebane does not disclose a method for notifying personnel that a customer feedback message exists comprising automatically transmitting an electronic notification message via email, as defined in claim 16. Therefore, the rejection of claim 16 is improper and should be reversed.

q. **Claim 17**

With respect to claim 17, the examiner states that Rebane teaches:

A customer feedback notification electronic system, comprising:

- a) a database for storing a customer feedback message of a customer (See discussion of Applicant's claim 1b) above);
- b) an electronic notification message, said electronic notification message indicating that a feedback message has been received (See discussion of Applicant's claims 8e) and 1c) above); and
- c) a computer server for transmitting said notification message to an employee of an employer upon receipt of said customer feedback message (See discussion of Applicant's claim 1d) above, wherein reference's "computer system,

col . 11, lines 39-44, representing and functioning as claimed "server"). [Office action mailed 7/28/04 page 11 line 16 to page 12 line 6.]

In response, the applicant submits that for the following reasons the rejection of claim 17 is improper and should be reversed.

First, Rebane does not disclose "an electronic notification message, said electronic notification message indicating that a feedback message has been received," as recited by claim 17.

The examiner cites to the discussion of Applicant's claims 8e) and 1c) above.

In response, the applicant submits that for the same reasons the rejections of claims 8e and 1c were improper, the rejection of claim 17 is improper. Thus, the rejection of claim 17 should be reversed.

Second, Rebane does not disclose "a computer server for transmitting said notification message to an employee of an employer upon receipt of said customer feedback message," as recited by claim 17.

The examiner cites to the discussion of Applicant's claim 1d) above, and further states that wherein the reference's "computer system, column 11, lines 39-44, representing and functioning as claimed "server".

In response, the applicant submits that there was no discussion of applicant's claim 1d above. However, for the same reasons the rejection of claim 1 was improper, the rejection of claim 17 is improper. Therefore, the rejection of claim 17 should be reversed.

r. **Claim 18**

With respect to claim 18, the examiner states that Rebane teaches:

The method of claim 1, wherein said transmitting comprises transmitting said electronic notification message is e-mail (Column 25, lines 22-25, wherein as discussed above, cited "email is electronic notification"). [Office action mailed 7/28/04 page 5 lines 11-13.]

In response, the applicant submits that for the same reasons the rejection of claim 17 was improper, the rejection of claim 18 is improper. Therefore, the rejection of claim 18 should be reversed.

The examiner cites to column 25 lines 22-25 of Rebane which states that:

The system 5 via handler 32 or data monitoring system 30, for example, could automatically send the merchant a signal such as an email to alert the merchant to the drop in rating. [Column 25 lines 22-25.]

In reply, the applicant submits that Rebane does not disclose a method comprising “an email server for transmitting said electronic notification message via e-mail,” as recited in claim 18.

Rebane discloses that an alarm filter could be set to monitor the number of surveys collected per day from a particular merchant. See column 15-17. Rebane further discloses that the system administrator could desire that if the daily collection of surveys for the merchant drops below 5 on a given day, an alert signal should be sent to the merchant or other party. See column 25 lines 17-20. Rebane further discloses that the system could automatically send the merchant a signal such as an email to alert the merchant to the drop in rating. See column 25 lines 22-25. Thus, Rebane discloses that an email can be sent to the merchant to alert them of the drop in response rates, i.e. the merchant received less than 5 surveys in one day.

While Rebane discloses that an email can be sent to a merchant if the merchant receives less than 5 surveys in a day, Rebane does not disclose an email server for notifying personnel of customer messages comprising automatically transmitting an electronic notification message via email, as defined in claim 18. Therefore, the rejection of claim 18 is improper and should be reversed.

s. **Claim 19**

With respect to claim 19, the examiner states that Rebane teaches:

The system of claim 17 further comprising:

a) a voice server for receiving spoken messages from customers and converting said spoken messages to audio files (See discussion of Applicant's claims 8a) and 8b) above, where creating audio file pointing to "converting cited verbal or spoken message into audio file", and also as discussed above, reference's "computer system, column 11, lines 39-44, representing and functioning as claimed "server"); and

b) programmed instructions of attaching said audio file to said notification message before transmitting said notification message to said employee (See discussion of Applicant's claim 15f) above, and said appending or attaching is performed through the use of application or programmed instructions). [Office action mailed 7/28/04 page 12 lines 7-16.]

In response, the applicant submits that for the same reasons the rejection of claim 17 was improper, the rejection of claim 20 is improper. Therefore, the rejection of claim 19 should be reversed.

Moreover, Rebane does not disclose "a voice server for receiving spoken messages from customers and converting said spoken messages to audio files," as recited by claim 19.

The examiner cites to the discussion of Applicant's claims 8a) and 8b) above, and states that creating audio file pointing to "converting cited verbal or spoken message into audio file", and also as discussed above, reference's "computer system, column 11, lines 39-44, representing and functioning as claimed "server."

In response, the applicant submits that for the same reasons the rejections of claims 8a and 8b were improper, the rejection of claim 19 is improper. Thus, the rejection of claim 19 should be reversed.

Furthermore, Rebane does not disclose "programmed instructions of attaching said audio

file to said notification message before transmitting said notification message to said employee," as recited in claim 19.

The examiner cites to the discussion of Applicant's claim 15f above, further states that said appending or attaching is performed through the use of application or programmed instructions.

In response, the applicant submits that for the same reasons the rejection of claim 15f was improper, the rejection of claim 19 is improper. Thus, the rejection of claim 19 should be reversed.

t. **Claim 20**

With respect to claim 20, the examiner states that Rebane teaches:

A customer feedback notification system, comprising:

- a) a voice server for receiving a spoken customer feedback message (See discussion of Applicant's claim 19a) above);
- b) a database for storing said feedback message in an audio file (See discussion of Applicant's claims 8b) and 8c) above);
- c) an electronic notification message indicating that said feedback message has been received, said electronic notification message including said audio file (See discussion of Applicant's claim 8d) and 7) above); and
- d) a computer server for promptly transmitting said notification message to an employee in response receipt of said customer feedback message (See discussion of Applicant's claim 8e) above). [Office action mailed 7/28/04 page 12 line 17 to page 13 line 8.]

In response, the applicant submits that the rejection is improper and should be reversed for the following reasons.

First, Rebane does not disclose "a voice server for receiving a spoken customer feedback message," as recited by claim 20.

The examiner cites to the discussion of Applicant's claim 19a) above.

In response, the applicant submits that for the same reasons the rejection of claim 19a is improper, the rejection of claim 20 is improper. Therefore, the rejection of claim 20 should be reversed.

Second, Rebane does not disclose "a database for storing said feedback message in an audio file," as recited by claim 20.

The examiner cites to the discussion of Applicant's claims 8b) and 8c) above.

In response, the applicant submits that for the same reasons the rejections of claims 8b and 8c are improper, the rejection of claim 20 is improper. Therefore, the rejection of claim 20 should be reversed.

Third, Rebane does not disclose "an electronic notification message indicating that said feedback message has been received, said electronic notification message including said audio file," as recited by claim 20.

The examiner cites to the discussion of Applicant's claim 8d) and 7) above.

In response, the applicant submits that for the same reasons the rejections of claims 8d and 7 are improper, the rejection of claim 20 is improper. Thus, the rejection of claim 20 should be reversed.

Finally, Rebane does not disclose "a computer server for promptly transmitting said notification message to an employee in response receipt of said customer feedback message," as recited by claim 20.

The examiner cites to the discussion of Applicant's claim 8e) above.

In response, the applicant submits that for the same reasons the rejection of claim 8e is improper, the rejection of claim 20 is improper. Therefore, the rejection of claim 20 should be reversed.

u. **Claim 21**

With respect to claim 21, the examiner states that Rebane teaches:

The method of claim 1, wherein said transmitting comprises transmitting

said electronic notification message is e-mail (Column 25, lines 22-25, wherein as discussed above, cited "email is electronic notification"). [Office action mailed 7/28/04 page 5 lines 11-13.]

In response, the applicant submits that for the same reasons the rejection of claim 20 is improper, the rejection of claim 21 is improper. Thus, the rejection of claim 21 should be reversed.

The examiner cites to column 25 lines 22-25 of Rebane which states that:

The system 5 via handler 32 or data monitoring system 30, for example, could automatically send the merchant a signal such as an email to alert the merchant to the drop in rating. [Column 25 lines 22-25.]

In reply, the applicant submits that Rebane does not disclose a system "wherein said computer server transmits said notification message via email," as recited in claim 21.

Rebane discloses that an alarm filter could be set to monitor the number of surveys collected per day from a particular merchant. See column 15-17. Rebane further discloses that the system administrator could desire that if the daily collection of surveys for the merchant drops below 5 on a given day, an alert signal should be sent to the merchant or other party. See column 25 lines 17-20. Rebane further discloses that the system could automatically send the merchant a signal such as an email to alert the merchant to the drop in rating. See column 25 lines 22-25. Thus, Rebane discloses that an email can be sent to the merchant to alert them of the drop in response rates, i.e. the merchant received less than 5 surveys in one day.

While Rebane discloses that an email can be sent to a merchant to alert them of the drop in the number of surveys received in one day, Rebane does not disclose a computer server that transmits a notification message indicating that a feedback message has been received via email, as defined in claim 21. Therefore, the rejection of claim 21 is improper and should be reversed.

v. **Claim 22**

With respect to claim 22, the examiner states that Rebane teaches:

An electronic network implemented method for receiving and tracking customer feedback messages, comprising:

- a) receiving a customer feedback message of a customer (See discussion of Applicant's claim 1 a) above);
- b) storing said customer feedback message in a database (See discussion of Applicant's claim 1b) above);
- c) creating an electronic notification message indicating that a customer feedback message has been received from an individual customer (See discussion of Applicant's claim 8d) above);
- d) promptly transmitting said notification message to an employee of an employer upon receipt of said customer feedback message (See discussion of Applicant's claim 8d) above and since transmission is performed among computers, it is dynamically or promptly done);
- e) accessing said database using a web server to retrieve said customer feedback message to a web browser (See discussion of Applicant's claim 8f) above and column 9, line 2: web server); and
- f) displaying to said employee said customer feedback message within a web page displayed by said web browser (Column 15, lines 31-32, column 9, lines 20-25, wherein a user would use cited video display for depicting or displaying user response to questionnaire or feedback message using cited web page and web browser, column 12, lines 41-45). [Office action mailed 7/28/04 page 13 line 9 to page 14 line 10.]

In response, the applicant submits that for the following reasons the rejection of claim 22 is improper.

First, Rebane does not disclose "creating an electronic notification message indicating that

a customer feedback message has been received from an individual customer,” as recited by claim 22.

The examiner cites to the discussion of Applicant's claim 8d above.

In response, the applicant submits that for the same reasons the rejection of claim 8d is improper, the rejection of claim 22 is improper. Therefore, the rejection of claim 22 should be reversed.

Second, Rebane does not disclose “promptly transmitting said notification message to an employee of an employer upon receipt of said customer feedback message,” as recited in claim 22.

The examiner cites to the discussion of Applicant's claim 8d) above and states that since transmission is performed among computers, it is dynamically or promptly done.

In response, the applicant submits that for the same reasons the rejection of claim 8d is improper, the rejection of claim 22 is improper. Therefore, the rejection of claim 22 should be reversed.

Third, Rebane does not disclose “accessing said database using a web server to retrieve said customer feedback message to a web browser,” as disclosed in claim 22.

The examiner cites to the discussion of Applicant's claim 8f) above and column 9 line 2: web server.

In reply, the applicant submits that for the same reason the rejection of claim 8f is improper, the rejection of claim 22 is improper. Thus, the rejection of claim 22 should be reversed.

Moreover, Rebane does not disclose “displaying to said employee said customer feedback message within a web page displayed by said web browser,” as recited in claim 22.

The examiner cites to column 15 lines 31-32, column 9 lines 20-25, and column 12 lines 41-45 of Rebane which state that:

Alternatively, presentation server 26 could present the data to a printer 34 or video display or computer...[Column 15 lines 31-32.]

FIGS. 1(a-g) show one possible embodiment of an online survey questionnaire. In particular, the Figures show screen shots of a consumer survey questionnaire for a retail online transaction. The survey questionnaire may be accessed through a direct link or a framed linked on a merchant's web page that connects to the survey questionnaire host server. [Column 9 lines 20-25.]

In the case of online survey questionnaires, the survey questionnaire may be provided to the consumer as HTML, XML, Java Script, ActiveX, Applet, or other well-known mechanisms or formats for querying a local computer system through a web browser. [Column 12 lines 41-45.]

In reply, the applicant submits that Rebane does not disclose "displaying to said employee said customer feedback message within a web page displayed by said web browser," as recited in claim 22.

Rebane discloses that the questionnaire that the consumer fills out may be accessed through a direct link or a framed linked on a merchant's web page. See column 9 lines 23-25. Rebane further discloses that the online survey questionnaires may be provided to the customer as HTML, XML, Java Script, ActiveX, Applet or other formats. See column 12 lines 41-44. Rebane further provides that once the data is captured and parsed, the presentation server could present the data to a printer or video display or computer system. See column 15 lines 31-32. However, while Rebane discloses displaying a questionnaire to a customer on a web page, Rebane does not disclose displaying to an employee a customer feedback message on a web page as defined in claim 22. Furthermore, while Rebane discloses presenting captured data to a video display, Rebane does not disclose displaying a customer feedback message on a web page via a web browser, as defined in claim 22. Thus, the rejection of claim 22 is improper and should be reversed.

w. **Claim 23**

With respect to claim 23, the examiner states that Rebane teaches:

The method of claim 1, wherein said transmitting comprises transmitting said electronic notification message is e-mail (Column 25, lines 22-25, wherein as discussed above, cited "email is electronic notification"). [Office action mailed 7/28/04 page 5 lines 11-13.]

In response, the applicant submits that for the same reasons the rejection of claim 22 was improper, the rejection of claim 23 is improper. Therefore, the rejection of claim 23 should be reversed.

The examiner cites to column 25 lines 22-25 of Rebane which states that:

The system 5 via handler 32 or data monitoring system 30, for example, could automatically send the merchant a signal such as an email to alert the merchant to the drop in rating. [Column 25 lines 22-25.]

In reply, the applicant submits that Rebane does not disclose a method "wherein said transmitting said notification message comprises transmitting an email," as recited in claim 23.

Rebane discloses that an alarm filter could be set to monitor the number of surveys collected per day from a particular merchant. See column 15-17. Rebane further discloses that the system administrator could desire that if the daily collection of surveys for the merchant drops below 5 on a given day, an alert signal should be sent to the merchant or other party. See column 25 lines 17-20. Rebane further discloses that the system could automatically send the merchant a signal such as an email to alert the merchant to the drop in rating. See column 25 lines 22-25. Thus, Rebane discloses that an email can be sent to the merchant to alert them of the drop in response rates, i.e. the merchant received less than 5 surveys in one day.

However, while Rebane discloses that an email can be sent to a merchant if less than 5 surveys are received in one day, Rebane does not disclose a method for receiving and tracking customer feedback messages, comprising transmitting a notification message via email, as defined

in claim 23. Therefore, the rejection of claim 23 is improper and should be reversed.

x. **Claim 24**

With respect to claim 24, the applicant states that Rebane teaches:

The method of claim 1, wherein said receiving includes receiving a customer satisfaction rating (Column 13, lines 22-26, wherein reference's accepting consumer rating data values indicating "obtaining or receiving rating or satisfaction rating" from consumer or customer)).
[Office action mailed 7/28/04 page 5 lines 14-17.]

In response, the applicant submits that for the same reasons the rejection of claim 22 is improper, the rejection of claim 24 is improper. Therefore, the rejection of claim 24 should be reversed.

y. **Claim 25**

With respect to claim 25, the examiner states that Rebane teaches:

The method of claim 3, wherein said electronic notification message includes said customer satisfaction rating (Column 11, line 2, Column 34, line 66 recited with lines 23-27 {specifically line 27}, wherein a user would use reference's "appending" function for attaching {to include} above discussed customer satisfaction rating to above discussed electronic notification message). [Office action mailed 7/28/04 page 5 line 18 to page 6 line 4.]

In response, the applicant submits that for the same reasons the rejection of claim 24 is improper, the rejection of claim 25 is improper. Therefore, the rejection of claim 25 should be reversed.

Moreover, the applicant submits that the examiner is making an obviousness argument although the examiner has rejected the claims under 35 USC 102(e). The examiner is arguing that it would have been obvious for a user to use Rebane's "appending" function for attaching the

customer satisfaction rating to an electronic notification message. However, this is an improper rejection, as the examiner may not argue obviousness under a 35 USC 102(e) rejection.

Therefore, the rejection of claim 25 is improper and should be reversed.

In addition, Rebane does not disclose an electronic notification message which includes a customer satisfaction rating, as defined in claim 25.

The examiner relies on column 11 line 2 and column 34 line 66 recited with lines 23-27 {specifically line 27} for disclosing the claimed limitations of claim 25.

Column 11 line 2 of Rebane states that "...online shopping category by appending those questions to a..."

Column 34 line 66 of Rebane states that "...information, automated notifications about subject matter..."

Column 34 lines 23-27 of Rebane state that:

The website includes web pages having a list or table of; merchant websites. The list or table could categorize merchants in any way, including by sector, by size, by how long they have been engaged in e-commerce, by geography, be customer satisfaction ratings,... [Column 34 lines 23-27.]

In reply, the applicant submits that Rebane does not disclose an electronic notification message which includes a customer satisfaction rating, as defined in claim 25.

Rebane discloses that after a consumer completes a survey questionnaire, the resulting survey data is fed to data capture server 14 and logged into a server log. See column 13 lines 50-52. Rebane further discloses that the logged data may then be parsed by a software program that assigns items of the raw data into predefined fields in a database 16. See column 13 lines 56-58. Rebane further discloses that the communication of data could be made dependent on specified conditions. See column 14 lines 49-50. Rebane discloses examples such as, the specified

conditions could include a set quantity of data having been received (e.g. after receipt of one hundred consumer responses to survey questionnaires); an elapsed period of time (e.g. after one hour of collecting responses to survey questionnaires), or other specified conditions or combinations of such conditions. See column 14 lines 50-56. Rebane discloses that the data fielded into database 16 may be conditioned by a data conditioner 18. See column 14 lines 29-30. Rebane further discloses that the conditioned data may be stored in database 20 for conditioned data. See column 14 lines 44-45. Rebane discloses that processing module 22 transfers processed data to a database 24 for storing processed data. See column 15 lines 25-26. Rebane further discloses that database 24 is in communication with a server 26. See column 15 lines 26-27. Rebane discloses that the presentation server 26 presents data that has been processed and evaluated by system 10 to an end-user, such as consumers or merchants 13. See column 16 lines 37-39.

However, while Rebane discloses that customer satisfaction ratings are received by merchants, Rebane does not disclose that the customer satisfaction rating is included in an electronic notification that is automatically sent to an employee as defined in claim 25. Thus, the rejection of claim 25 is improper and should be reversed.

z. Claim 26

With respect to claim 26, the examiner states that Rebane teaches:

The method of claim 3 further comprising:

- a) determining whether said customer satisfaction rating is below a threshold value (Column 15, lines 53-54 and column 25, line 65 through col . 26, line 2, wherein cited "processing" and "comparing with predefined low threshold" inferring claimed "determining whether rating is below a threshold"); and
- b) transmitting a second electronic notification message to a second employee of said employer if said customer satisfaction rating is below said threshold value, said second electronic notification message providing an indication that a feedback message exists (See discussion of applicant's 1c) above,

and considering discussed notification as second one and manager as second employee of merchant or business or employer). [Office action mailed 7/28/04 page 6 lines 5-14.]

In response, the applicant submits that for the same reasons the rejection of claim 24 was improper, the rejection of claim 26 is improper. Therefore, the rejection of claim 26 should be reversed.

Moreover, Rebane does not disclose “determining whether said customer satisfaction rating is below a threshold value,” as recited in claim 26.

The examiner cites to column 15 lines 53-54 and column 25 line 65 through column 26 line 2 which state that:

The processing may include computation of ratings; indices; consumer...
[Column 15 lines 53-54.]

If a response rating is above a high threshold, a signal is sent to event handler 32. If the high threshold is not crossed, the values from step 28.4 are compared to a predefined threshold in step 28.6. If the low threshold is crossed, a signal is sent to event handler 28. [Column 25 line 65 to column 26 line 2.]

In reply, the applicant submits that Rebane does not disclose “determining whether said customer satisfaction rating is below a threshold value,” as recited in claim 26.

Rebane discloses that ratings can be computed. See column 15 lines 53-54. Rebane further discloses an alarm system which monitors survey questionnaire response rates. See column 25 lines 55-59 and Figure 9. Rebane further discloses that if a low threshold response rate is crossed, a signal is sent to event handler 28. See column 26 lines 1-2 and Figure 9. Rebane further discloses that the system administrator could desire that if the daily collection of surveys for the merchant drops below 5 on a given day, an alert signal should be sent to the merchant or other party. See column 25 lines 17-20.

However, while Rebane discloses determining if there are less than 5 responses received in one day, i.e. the response rate is low, Rebane does not disclose determining whether said customer satisfaction rating is below a threshold value, as defined in claim 26. Therefore, the rejection of claim 26 is improper and should be reversed.

Second, Rebane does not disclose “transmitting a second electronic notification message to a second employee of said employer if said customer satisfaction rating is below said threshold value, said second electronic notification message providing an indication that a feedback message exists,” as recited in claim 26.

The examiner cites to discussion of applicant’s 1c) above, and than states “considering discussed notification as second one and manager as second employee of merchant or business or employer.”

First, the applicant submits that for the same reasons the rejection of claim 1c is improper, the rejection of claim 26 is improper. Thus, the rejection of claim 26 should be reversed.

Third, there is no disclosure in Rebane that discloses that there is a second notification sent to a second employee, as defined in claim 26.

Rebane discloses an alarm system which monitors survey questionnaire response rates. See column 25 lines 55-59 and Figure 9. Rebane further discloses that if a low threshold response rate is crossed, a signal is sent to event handler 28. See column 26 lines 1-2 and Figure 9.

However, while Rebane discloses that a signal is sent to an event handler if there are less than 5 responses received in one day, i.e. the response rate is low, Rebane does not disclose transmitting a second electronic notification message to a second employee of said employer if said customer satisfaction rating is below said threshold value, as recited in claim 26. Therefore, the rejection of claim 26 is improper and should be reversed.

aa. **Claim 27**

With respect to claim 27, the examiner states that Rebane teaches:

The method of claim 22 comprising the further steps of : a) creating an audio file containing said customer feedback message; storing said audio file in

said database (See discussion of Applicant's claim 7a) above); and b) providing a link on said web page enabling said employee to playback said audio file (See discussion of Applicant's claim 8c) above). [Office action mailed 7/28/04 page 14 lines 11-15.]

In response, the applicant submits that for the same reasons the rejection of claim 22 is improper, the rejection of claim 27 is improper. Thus, the rejection of claim 27 should be reversed.

Moreover, Rebane does not disclose "creating an audio file containing said customer feedback message; storing said audio file in said database," as recited in claim 27.

The examiner cites to the discussion of Applicant's claim 7a) above.

In response, the applicant submits that for the same reasons the rejection of claim 7a is improper, the rejection of claim 27 is improper. Thus, the rejection of claim 27 should be reversed.

Furthermore, Rebane does not disclose "providing a link on said web page enabling said employee to playback said audio file," as recited in claim 27.

The examiner cites to the discussion of Applicant's claim 8c) above.

In response, the applicant submits that for the same reasons the rejection of claim 8c is improper, the rejection of claim 27 is improper. Thus, the rejection of claim 27 should be reversed.

bb. Claim 28

With respect to claim 28, the examiner states that Rebane teaches:

A system for receiving and tracking customer complaints, comprising:

- a) a voice server for receiving a customer complaint (See discussion of Applicant's claim 22a) above, and reference teaching "complaint, column 10, lines 17-20");
- b) a database for storing said complaint in a complaint record (See

discussion of Applicant's claim 22b) above, and reference teaching "complaint, column 10, lines 17-20");

c) a message server for serving an electronic notification message indicating that complaint has been received, said message server configured to automatically serve said electronic notification message to an employee of an employer promptly upon receipt of said customer complaint (See discussion of Applicant's claim 22c) above, and reference teaching "complaint, column 10, lines 17-20");

d) a web server connected with said database, said web server configured to enable said employee to access said database to retrieve said compliant record (See discussion of Applicant's claim 22e) above, and reference teaching "complaint, column 10, lines 17-20"). [Office action mailed 7/28/04 page 14 line 16 to page 15 line 10.]

In response, the applicant submits that Rebane does not disclose "a voice server for receiving a customer complaint; a database for storing said complaint in a complaint record; message server for serving an electronic notification message indicating that complaint has been received, said message server configured to automatically serve said electronic notification message to an employee of an employer promptly upon receipt of said customer complaint; and a web server connected with said database, said web server configured to enable said employee to access said database to retrieve said compliant record," as recited in claim 28.

The examiner cites to the discussion of claim 22 above and reference teaching complaint column 10 lines 17-20.

In response, for the same reasons the rejection of claim 22a was improper, the rejection of claim 28 is improper. Therefore, the rejection of claim 28 should be reversed.

The examiner also cites to Column 10, lines 17-20 of Rebane which states that:

(3) Level & Quality of Consumer Support 206;

This attribute relates to how available and effective the merchant was in

resolving any questions/complaints or problems that the consumer encountered.

[Column 10 lines 17-20.]

Rebane discloses that the customer is asked to rate the merchant relative to five attributes.

See column 10 lines 7-8. Rebane further discloses that one of the areas the customer can rate the merchant is on the level and quality of consumer support. See Figure 2a and column 10 line 17.

Rebane also discloses that the level and quality of consumer support attribute relates to how available and effective the merchant was in resolving any questions or complaints or problems that the consumer encountered. See column 10 lines 17-20.

Thus, while Rebane discloses receiving a rating of 1-10 on how a merchant responded to a complaint in Column 10 lines 17-20, Rebane does not disclose receiving a consumer complaint, as defined in claim 28. Thus, the rejection of claim 28 should be reversed.

Furthermore, Rebane discloses that consumer's may enter comments in the survey questionnaire. See figure 2b and column 10 lines 47-48. However, Rebane does not disclose that these are complaints. Thus, at best this would be an obviousness rejection, and the examiner has rejected these claims under 35 USC 102(e). In addition, Rebane still does not disclose creating an electronic notification message indicating that a customer feedback message has been received. Therefore, the rejection of claim 28 is improper for this additional reason.

cc. **Claim 29**

With respect to claim 29, the examiner states that Rebane teaches:

The method of claim 1, wherein said transmitting comprises transmitting said electronic notification message is e-mail (Column 25, lines 22-25, wherein as discussed above, cited "email is electronic notification"). [Office action mailed 7/28/04 page 5 lines11-13.]

In response, the applicant submits that for the same reasons the rejection of claim 28 was improper, the rejection of claim 29 is improper. Thus, the rejection of claim 29 should be reversed.

The examiner cites to column 25 lines 22-25 of Rebane which states that:

The system 5 via handler 32 or data monitoring system 30, for example, could automatically send the merchant a signal such as an email to alert the merchant to the drop in rating. [Column 25 lines 22-25.]

In reply, the applicant submits that a system “wherein said message server is configured to transmit electronic notification messages via email,” as recited in claim 29.

Rebane discloses that an alarm filter could be set to monitor the number of surveys collected per day from a particular merchant. See column 15-17. Rebane further discloses that the system administrator could desire that if the daily collection of surveys for the merchant drops below 5 on a given day, an alert signal should be sent to the merchant or other party. See column 25 lines 17-20. Rebane further discloses that the system could automatically send the merchant a signal such as an email to alert the merchant to the drop in rating. See column 25 lines 22-25. Thus, Rebane discloses that an email can be sent to the merchant to alert them of the drop in response rates, i.e. the merchant received less than 5 surveys in one day.

Thus, while Rebane discloses that an email can be sent to a merchant if less than 5 surveys have been received, Rebane does not disclose a system for receiving and tracking customer complaints, comprising a message server configured to transmit electronic notification messages via email, as defined in claim 29. Therefore, the rejection of claim 29 is improper and should be reversed.

dd. **Claim 30**

With respect to claim 30, the examiner states that Rebane teaches:

The system of claim 28 further comprising: a) an audio file containing a recording of a spoken customer complaint (See discussion of Applicant's claim 7a above, and reference teaching "complaint, column 10, lines 17-20"); b) wherein said complaint record includes said audio file (See discussion of Applicant's claim 7) above, and reference teaching "complaint, column 10, lines 17-20"). [Office action mailed 7/28/04 page 15 line 11-16.]

In response, the applicant submits that for the same reasons the rejection of claim 28 is improper, the rejection of claim 30 is improper. Thus, the rejection of claim 30 should be reversed.

Moreover, Rebane does not disclose "an audio file containing a recording of a spoken customer complaint," as recited in claim 30.

The examiner cites to the discussion of claim 7a above.

In response, the applicant submits that for the same reasons the rejection of claim 7a was improper, the rejection of claim 30 is improper. Therefore, the rejection of claim 30 should be reversed.

Furthermore, Rebane does not disclose a "complaint record includes said audio file," as recited in claim 30.

The examiner cites to the discussion of Applicant's claim 7 above.

In response, the applicant submits that for the same reasons the rejection of claim 7 is improper, the rejection of claim 30 is improper. Thus, the rejection of claim 30 should be reversed.

ee. Claim 31

With respect to claim 31, the examiner states that Rebane teaches:

The system of claim 30 further comprising a mechanism to attach Audio file (Column 11, lines 1-4, wherein a user would use cited appending or attaching function for claimed purpose). [Office action mailed 7/28/04 page 15 lines 17-19.]

In response, the applicant submits that for the same reasons the rejection of claim 30 is improper, the rejection of claim 31 is improper. Thus, the rejection of claim 31 should be reversed.

Moreover, Rebane does not disclose “a mechanism to attach said audio file to said electronic notification message,” as recited in claim 31.

Column 11 lines 1-4 of Rebane states that:

...custom survey questions directly from any demographic or online shopping category be appending those questions to a survey questionnaire such as survey questionnaire 100 or 200. The data may also be developed into information that ... [Column 11 lines 1-4.]

In reply, the applicant submits that Rebane does not disclose “a mechanism to attach said audio file to said electronic notification message,” as recited in claim 31.

Rebane discloses that custom questions may be appending to the existing survey questionnaire. See column 10 line 67 to column 11 line 4.

However, while Rebane discloses that custom questions can be added to a survey questionnaire, Rebane does not disclose an audio file containing a recording of a spoken customer complaint, or that this audio file can be attached to an electronic notification record, as defined in claim 31. Thus, the rejection of claim 31 is improper and should be reversed.

ff. **Claim 32**

With respect to claim 32, the examiner states that Rebane teaches:

The method of claim 7 wherein said electronic notification message includes said audio file (See discussion of Applicant's claim 7) above). [Office action mailed 7/28/04 page 15 lines 20-21.]

In response, the applicant submits that for the same reasons the rejection of claim 7 was

improper, the rejection of claim 32 is improper. Thus, the rejection of claim 32 should be reversed.

Moreover, Rebane does not disclose a method wherein “said electronic notification message includes said audio file,” as recited in claim 32.

Rebane discloses that a dynamic icon indicates to the user of a remote computer system some level of activity elsewhere in system 10. See column 32 lines 20-22. Rebane further discloses that this level of activity may be the level of activity by other visitors to a particular merchant’s website. See column 32 lines 25-28. Rebane discloses that an activity level applet is received and stored by a consumer’s computer. See column 33 lines 14-15. Rebane further discloses that the data is input into the activity-level applet that creates an output in the dot flashing at a rate proportionate to the level of buying at the merchant’s site. See column 33 lines 22-25. Rebane further discloses that the dynamic icon could be an audio-based icon that verbally or connotatively describes some level of activity. See column 34 lines 5-10.

However, while Rebane discloses an audio icon on a consumer’s computer that verbally describes a level of activity on a merchant website, Rebane does not disclose an electronic notification message that includes an audio file, as defined by claim 32. Thus, the rejection of claim 32 is improper and should be reversed.

gg. **Claim 33**

With respect to claim 33, the examiner states that Rebane teaches:

A computer program product comprising a computer readable media storing code for enabling an electronic network to implement a method for notifying personnel of customer feedback messages (Column 12, lines 15-24, wherein cited hard drive, CD etc. representing computer readable media and the same are used for storing applications or program instructions), said method comprising:

- a) receiving from a customer a customer feedback message in an electronic format (See discussion of Applicant's claim 1a) above);

b) automatically storing said feedback message from said customer in a database in response to receipt of said customer feedback message in said electronic format (See discussion of Applicant's claim 1b) above); and

c) automatically creating and transmitting an electronic notification message to a first employee of an employer, said electronic notification message providing an indication that a feedback message exists, said automatically creating and transmitting occurring in response to at least one of said receiving and said automatically storing (See discussion of Applicant's claim 1c) above). [Office mailed 7/28/04 page 16 lines 3-17.]

In response, the applicant submits that Rebane does not disclose "a computer program product comprising a computer readable media storing code for enabling an electronic network to implement a method for notifying personnel of customer feedback messages," as recited by claim 33.

The examiner cites to column 12 lines 15-24 of Rebane which states that:

The computer systems on system 10 may access and store data in any variety of data storage media, including, but not limited to, local hard drive, CD-ROM or other mass storage device, local area network servers, wide area network servers, Internet servers accessed via phone or cable, commercial consumer and business online services, distributed information sources such as any combination or the above, and local RAM if data is generated on demand or linked to other programs such as spreadsheet or database programs executing in RAM. [Column 12 lines 15-24.]

However, while Rebane discloses a system which stores data, Rebane does not disclose a computer program product comprising a computer readable media storing code for enabling an electronic network to implement a method for notifying personnel of customer feedback messages, as defined by claim 33. Thus, the rejection of claim 33 is improper and should be

reversed.

Moreover, Rebane does not disclose “automatically creating and transmitting an electronic notification message to a first employee of an employer, said electronic notification message providing an indication that a feedback message exists, said automatically creating and transmitting occurring in response to at least one of said receiving and said automatically storing,” as recited by claim 33.

The examiner cites to the discussion of claim 1c above.

In reply, the applicant submits that for the same reasons the rejection of claim 1 is improper, the rejection of claim 33 is improper. Thus, the rejection of claim 33 should be reversed.

2. 35 USC 103 Rejections

The examiner cites to 103(a) and states that is a basis for all obviousness rejections set forth in the office action. However, the examiner than goes on to state that claims 1-33 are rejected under 35 USC 102(e) as being anticipated by Rebane (US Patent 6,539,392). The rejection of claims 1-33 under 102(e) is the only rejection the examiner makes, thus there is no 103(a) rejection. Accordingly, this subsection is inapplicable.

H. 37 CFR 41.37 (c)(1)(viii) Claims Appendix

Appendix I is attached which contains a copy of the claims involved in the appeal.

I. 37 CFR 41.37 (c)(1)(ix) Evidence Appendix

There is no evidence submitted pursuant to 1.130, 1.131, or 1.132 of this title or any other evidence entered by the examiner and relied upon by appellant in the appeal. Accordingly, this section is inapplicable.

J. 37 CFR 41.37 (c)(1)(x) Related proceedings appendix

There are no related appeals or interferences under (c)(1)(ii) of this section. Accordingly, this section is inapplicable.

IV. **37 CFR 41.37 (c)(2)**

This brief does not include any new or non-admitted amendment, or any new or non-admitted affidavit or other evidence.

V. **37 CFR 41.37 (d)**

This appeal brief complies with all the requirements of paragraph (c) of this section.

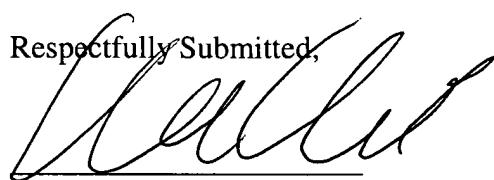
VI. **37 CFR 41.37 (e)**

With this appeal brief, the applicant files a petition for a 2 month extension of time.

12/17/04

DATE

Respectfully Submitted,



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Appendix I

1. An electronic network implemented method for notifying personnel of customer feedback messages, comprising:

receiving from a customer a customer feedback message in an electronic format;

automatically storing said feedback message from said customer in a database in response to receipt of said customer feedback message in said electronic format;

and

automatically creating and transmitting an electronic notification message to a first employee of an employer, said electronic notification message providing an indication that a feedback message exists, said automatically creating and transmitting occurring in response to at least one of said receiving and said automatically storing.

2. The method of claim 1 wherein said transmitting comprises transmitting said electronic notification message via e-mail.

3. The method of claim 1 wherein said receiving includes receiving a customer satisfaction rating.

4. The method of claim 3 wherein said electronic notification message includes said customer satisfaction rating.

5. The method of claim 3 further comprising:

determining whether said customer satisfaction rating is below a threshold value; and

transmitting a second electronic notification message to a second employee of said employer if said customer satisfaction rating is below said threshold value, said second electronic notification message providing an indication that a feedback message exists.

6. The method of claim 3 further comprising:

determining whether said customer satisfaction rating is above a threshold value; and

transmitting a second electronic notification message to a second employee if said customer satisfaction rating is above said threshold value, said second electronic notification message providing an indication that a feedback message exists.

7. The method of claim 1

wherein said customer feedback message in said electronic format comprises an audio file

including a spoken message provided by said customer.

8. An electronic network implemented method for notifying personnel of customer feedback messages, comprising:

receiving a spoken customer feedback message from a customer;

creating an audio file containing a recording of said spoken customer feedback message;

storing said audio file in a database;

generating an electronic notification message, said electronic notification message

indicating that a certain feedback message has been received;

transmitting said electronic notification message to an employee of an employer; and

accessing said database and playing said audio file containing a recording of said spoken feedback message stored in said database to said employee, upon receiving a command from said employee.

9. The method of claim 8 wherein said transmitting comprises transmitting said electronic notification message via e-mail.

10. The method of claim 8 further comprising assigning a response ID to said customer feedback message.

11. The method of claim 10 wherein said command from said employee comprises said response ID.

12. The method of claim 8 further comprising:

receiving a satisfaction rating from said customer;

determining whether said satisfaction rating is below a threshold value; and

transmitting a second electronic notification message to a second employee of said employer if said satisfaction rating is below said threshold value, said electronic notification message indicating that a certain feedback message has been received.

13. The method of claim 8 further comprising:

receiving a satisfaction rating from said customer;

determining whether said satisfaction rating is above a threshold value; and

transmitting ~~a~~ a second electronic notification message to a second employee of said employer if said satisfaction rating is above said threshold value, said electronic notification

message indicating that a certain feedback message has been received.

14. The method of claim 12 wherein said transmitting comprises transmitting said second electronic notification message via e-mail.

15. An electronic network implemented method for notifying personnel of customer messages, comprising:

receiving a satisfaction rating from a customer;

receiving a spoken message from said customer;

creating an audio file containing a recording of said spoken message;

storing said audio file in a database;

generating an electronic notification ~~message~~ said electronic notification message

indicating at least the existence of a satisfaction rating of a customer, said generating occurring automatically at least in part in response the receipt and storage of at least one of said satisfaction rating and said spoken message;

attaching said audio file to said notification message;

automatically transmitting said electronic notification message to an employee of an employer, said automatically transmitting occurring at least in part in response to said generating;

determining whether said satisfaction rating is below a threshold value;

and

transmitting a second electronic notification message to a second employee of said employer if said satisfaction rating is below said threshold value, said second electronic notification message indicating at least the existence of a satisfaction rating of a customer.

16. The method of claim 15 wherein said automatically transmitting comprises transmitting via email second electronic notification message is an e-mail message.

17. A customer feedback notification electronic system, comprising:

a database for storing a customer feedback message of a customer;

an electronic notification message, said electronic notification message indicating that a customer feedback message has been received; and

a computer server for promptly transmitting said electronic notification message to an employee of an employer upon receipt of said customer feedback message.

18. The system of claim 17 further comprising an email server for transmitting said electronic notification message via e-mail.

19. The system of claim 17 further comprising:
a voice server for receiving spoken messages from customers and converting said spoken messages to audio files; and
programmed instructions for attaching
said audio file to said notification message before transmitting said notification message to said employee.

20. A customer feedback notification electronic system, comprising:
a voice server for receiving a spoken customer feedback message;
a database for storing said feedback message in an audio file;
an electronic notification message indicating that said feedback message has been received, said electronic notification message including said audio file; and
a computer server for promptly transmitting said notification message to an employee in response to receipt of said customer feedback message.

21. The system of claim 20 wherein said computer server transmits said notification message via email.

22. An electronic network implemented method for receiving and tracking customer feedback messages, comprising:
receiving a customer feedback message of a customer;
storing said customer feedback message in a database;
creating an electronic notification message indicating that a customer feedback message has been received from an individual customer;
promptly transmitting said notification message to an employee of an employer upon receipt of said customer feedback message;
accessing said database using a web server to retrieve said customer feedback message to a web browser; and
displaying to said employee said customer feedback message within a web page displayed by said web browser.

23. The method of claim 22 wherein said transmitting said notification message comprises transmitting an email.

24. The method of claim 22 wherein said step of receiving said feedback message includes receiving a customer satisfaction rating from said customer.

25. The method of claim 24 wherein information in said notification message includes said customer satisfaction rating.

26. The method of claim 24 comprising the further steps of:
determining whether said customer satisfaction rating is below a threshold value; and
transmitting a second electronic notification message to a second employee if said customer satisfaction rating is below said threshold value.

27. The method of claim 22 comprising the further steps of:
creating an audio file containing said customer feedback message;
storing said audio file in said database; and
providing a link on said web page enabling said employee to playback said audio file.

28. A system for receiving and tracking customer complaints, comprising:
a voice server for receiving a customer complaint;
a database for storing said complaint in a complaint record;
a message server for serving an electronic notification message indicating that a complaint has been received, said message server configured to automatically serve said electronic notification message to an employee of an employer promptly upon receipt of said customer complaint;

a web server connected with said database, said web server configured to enable said employee to access said database to retrieve said complaint record.

29. The system of claim 28 wherein said message server is configured to transmit electronic notification messages via email.

30. The system of claim 28 further comprising:
an audio file containing a recording of a spoken customer complaint;
wherein said complaint record includes said audio file.

31. The system of claim 30 further comprising a mechanism to attach said audio file to

said electronic notification message.

32. The method of claim 7 wherein said electronic notification message includes said audio file.

33. A computer program product comprising a computer readable media storing code for enabling an electronic network to implement a method for notifying personnel of customer feedback messages, said method comprising:

receiving from a customer a customer feedback message in an electronic format;

automatically storing said feedback message from said customer in a database in response to receipt of said customer feedback message in said electronic format; and

automatically creating and transmitting an electronic notification message to a first employee of an employer, said electronic notification message providing an indication that a feedback message exists, said automatically creating and transmitting occurring in response to at least one of said receiving and said automatically storing.